



Power Source Disclosure Program Draft Regulations and Reporting Form Consolidation

**Staff Workshop
November 5, 2010**



Agenda

9:00 am – 9:15 am	Welcome
9:15 am – 9:30 am	Power Source Disclosure Program Draft Regulations - Overview of Proposed Changes
9:30 am – 10:00 am	Discussion and Questions on Draft Regulations
10:00 am – 11:00 am	Discussion on Reporting Form Consolidation
11:00 am – 12:00 pm	Additional Comments/Questions as Necessary



Power Source Disclosure Draft Regulations

- BACKGROUND

- The California Legislature passed Senate Bill 1305 in 1997 to provide reliable, accurate, and timely information for consumers regarding fuel sources for electric generation offered for retail sale in California.
- Under SB 1305, retail suppliers who made claims about the environmental, fuel or technology characteristics of their power were required to disclose their actual mix to customers; those who did not make any such claims could instead choose to identify net system power as their power mix on Power Content Labels (PCLs).
- Assembly Bill 162 was signed into law in 2009, which modifies the Power Source Disclosure Program to (a) assure that all retail suppliers in California sufficiently disclose their individual fuel mix information, (b) increase the clarity of the information that is provided, (c) coordinate the Power Source Disclosure Program with the Renewables Portfolio Standard Program, and (d) amend and, in some cases, eliminate some disclosure requirements.



Power Source Disclosure Draft Regulations – Changes to Regs

- SECTION 1391 – DEFINITIONS
 - Removes any reference to language referring to “claim of specific purchases” and “net system power.”
 - Includes a new definition for “unspecified sources of power” (electricity not traceable to specific generation sources by any auditable contract trail, as now defined in section 398.2 of the Public Utilities Code), and updates the definition of “specific purchase” to align with the language in the code for unspecified sources of power.



Power Source Disclosure Draft Regulations – Changes to Regs

- SECTION 1391 Cont.
 - Changes the term “eligible renewable” to “eligible renewable energy resource” to align with the RPS program’s definition.
 - Updates definitions of eligible renewable energy resource fuel types to align with definitions in the Renewable Energy Program Overall Program Guidebook, 2nd Edition.
 - Includes a new fuel category for “other eligible renewable energy resources” to include fuel types such as ocean wave, ocean thermal and tidal current.



Power Source Disclosure Draft Regulations – Changes to Regs

- SECTION 1392 – GENERATION DISCLOSURE
 - Updates reporting categories for fuel types to reflect the same changes made in sections 1391 and 1393 of the regulations.
 - Removes references to “claims” of specific purchases, and replaces the term “claim” with “disclosure”.



Power Source Disclosure Draft Regulations – Changes to Regs

- SECTION 1393 – Retail Disclosure to Consumers
 - Removes all reference to “general disclosures,” “quarterly disclosures,” and “net system power.”
 - Removes the option for a utility to claim net system power as its annual fuel mix, and removes the formula to include net system power contributions as part of the utilities’ specific purchase claims.
 - Removes the requirement for utilities to provide quarterly disclosures to their customers and to the Energy Commission.



Power Source Disclosure Draft Regulations – Changes to Regs

- SECTION 1393 Cont.
 - Updates reporting categories for fuel types to reflect the same changes made in sections 1391 and 1392 of the regulations (from new language in section 398.4 of the Public Utilities Code).
 - Includes two new fuel type categories in the power content label (PCL): “Unspecified sources of power” and “Other renewable.” Also includes new language specifying what information should be included in these categories.



Power Source Disclosure Draft Regulations – Changes to Regs

- SECTION 1393 Cont.
 - Includes new definition of “total CA system electricity,” – the sum of all in-state generation and net electricity imports by fuel type.
 - Includes language in statute that states: “Specific purchases must only be from sources connected to the WECC interconnected grid.”
 - Clarifies that only purchases that cannot be traced to specific generators can be included in “unspecified sources of power.”



Power Source Disclosure Draft Regulations – Changes to Regs

- SECTION 1393 Cont.
 - Eliminates the requirement for including net system power on all PCLs, and replaces net system power with total CA system electricity.
 - Specifies provisions for including a link in any disclosure by electronic mail to an online PCL. The link must be a direct link to the label, and must be preceded by the language: “View (*utility name*)’s energy resource mix.”
 - Moves detailed formatting guidelines for PCLs to Appendix A.
 - Removes the requirement to compare annual PCLs to quarterly PCLs and explain any variance.



Power Source Disclosure Draft Regulations – Changes to Regs

- SECTION 1394 – ANNUAL FILING WITH THE ENERGY COMMISSION
 - Changes Annual Report due date from March 1 to June 1.
 - Removes reference to the Energy Commission Certificate Program.
 - Removes requirement to submit quarterly PCLs to the Energy Commission.
 - Inserts provision for the Energy Commission to verify claims of unspecified purchases



Power Source Disclosure Draft Regulations – Changes to Regs

- APPENDICES
 - Appendix A now includes formatting guidelines for PCLs.
 - 1st PCL footnote will now reference “unspecified sources of power” and will state: “Unspecified sources of power means electricity from transactions that are not traceable to specific generation sources.”
 - Appendix B now includes instructions for agreed upon procedures verifying information disclosed by each utility.
 - The instructions now reference Auditing Standards adopted by the Public Company Accounting Oversight Board (PCAOB).



Power Source Disclosure Draft Regulations – Changes to Regs

- APPENDICES cont.
 - Removes language previously included in Appendix B which describes the Energy Commission Certificate Program, a program which is no longer used by the Energy Commission. Inserts provision for the Energy Commission to verify claims of unspecified purchases



Power Source Disclosure Draft Regulations

- STAKEHOLDER QUESTIONS
 - How might unbundled RECs and/or null power be counted in the Power Source Disclosure Program?
 - If various products are still differentiated and reported to the Energy Commission on the Annual Reporting Form, should there be clarifying language in the regulations to describe how products are counted, and what programs they are eligible for (ie. RPS)?
 - If the proposed regulations are adopted, how would the changes affect average cost/savings of reporting to the Power Source Disclosure Program?



Power Source Disclosure Draft Regulations

- NEXT STEPS

- Comments on these proposed changes will be accepted until COB November 19, 2010.
- Staff will consider comments and incorporate changes as necessary into the draft regulations, and will then submit the proposed regulations to the Office of Administrative Law (OAL) for publication in the California Regulatory Notice Register.
- The publication of the proposed regulations will initiate the OAL's 45 day public comment period.
- The public comment period may be followed by a public hearing, if deemed necessary, where stakeholders may address any outstanding concerns before the regulations are adopted at an Energy Commission Business Meeting.



Renewable Energy Office POU Reporting Spreadsheet

Statutes Noted in Spreadsheet

- SB 1305/AB 162 - Power Source Disclosure Program
- SB 107 - Renewables Portfolio Standard
- AB 380 – Resource Adequacy
- Senate Bill 1 - CA Solar Electric Incentive Programs
- Information collected for the Energy Commission's online POU Contract Database



POU Reporting Spreadsheet

California Energy Commission POU Reporting Spreadsheet

GENERAL INSTRUCTIONS

Utility Name	
Calendar Year Covered in this Report	
Form Completion Date	

This reporting form has been created to replace prior data collection forms, including data requested and/or collected for the Power Source Disclosure Program (SB 1305/AB 162 Annual Report Form), the RPS Program (CEC-RPS-POU Form and POU Contract Database), and the SB 1 Solar Program Status Report. This form will additionally serve to supplement biannual data collection for AB 380, in years that data is not submitted to the California Energy Commission's Electricity Analysis Office. The color scheme below refers to the various colors used in Schedules 1-5 and their associated mandates or requests.

Schedules 1 and 3: Please complete annually and submit via e-mail to RPSTrack@energy.state.ca.us. Additionally, please print out the file, sign the attestation, and mail to the address below.

Schedule 2: Please complete biannually (every other year) during even-numbered years and submit with Schedules 1 and 3.

Schedule 4: This Schedule will be automatically populated with data from Schedules 1 & 3.

Schedule 5: Please complete annually and submit via e-mail to renewable@energy.state.ca.us. Schedule 5 is due on June 1 of each year, for previous year reporting.

California Energy Commission
e-mail: RPSTrack@energy.state.ca.us
Renewable Energy Program
California Energy Commission
1516 Ninth Street, MS-45
Sacramento, CA 95814-5512

Responses to this request are due on June 1 of each year.

For Schedules 1-4, please direct questions to Lorraine Gonzalez at (916) 654-3842 or lgonzalez@energy.state.ca.us.

For Schedule 5, please direct questions to Sherrill Neidich at (916) 651-1463 or sneidich@energy.state.ca.us.

NOTE: Information submitted in this report is not automatically held confidential. If your company wishes the information you submit to be held in confidence, it will be necessary to submit an application for confidentiality.

Color scheme:

Orange:	Mandated by AB 162 for the Power Source Disclosure Program
Purple:	Mandated by SB 107
Green:	Mandated by AB 380 and collected by the Renewable Energy Office biannually
Blue:	Data collected for the Energy Commission POU Contracts Database
Tan:	Mandated by Senate Bill 1 and collected by the Renewable Energy Office annually
White:	Data requested on a voluntary basis by the Renewable Energy Office
Red:	Data to be filled out by Utility unless Utility prefers the Energy Commission to fill out



Renewable Energy Office POU Reporting Spreadsheet (cont'd)

Schedule 1 – Provides actual procurement from renewable resources in the preceding calendar year. Also provides information on RPS progress
– This form is completed annually and is due June 1st for previous year reporting.



Renewable Energy Office POU Reporting Spreadsheet (cont'd)

Schedule 2 – Provides information in IEPR off-years regarding expected energy from renewable resources that are anticipated to enter a POU's portfolio during the current calendar year or later. This schedule is designed to contain values for resources which did not provide energy to the utility during the preceding year. If a resource has provided energy during the previous calendar year, it is noted in Schedule 1, and does not need to be entered in Schedule 2 – This form is completed biannually, during even-numbered years, and submitted with Schedules 1 and 3.



Renewable Energy Office POU Reporting Spreadsheet (cont'd)

Schedule 3 – Provides information on non-renewable energy under long-term contract (≥ 3 months), and/or aggregate spot and short-term purchases for the preceding calendar year – This form is completed annually and is due June 1st for previous year reporting.



Renewable Energy Office POU Reporting Spreadsheet (cont'd)

Schedule 4 - Automatically populated with data from Schedules 1 & 3 to provide an aggregated fuel mix by resource type. This fuel mix will provide total MWh purchased, and will additionally provide the percent of total purchases that each resource type represents.



Fuel Mix Schedule 4

Fuel Mix Schedule 4 - This Schedule will be automatically populated with data from Schedules 1 & 3.

2010 Fuel Mix		
	MWh Purchased	Percent of Total
Specific Purchases		
Renewable	0	0%
Biomass & Biowaste	0	0%
Geothermal	0	0%
Small Hydro	0	0%
POU Eligible Large Hydro	0	0%
Solar	0	0%
Wind	0	0%
Other Renewable	0	0%
Coal	0	0%
Large Hydro	0	0%
Natural Gas	0	0%
Nuclear	0	0%
Other	0	0%
Generic Power (Unspecified) Purchases	0	0%
Total Purchases	0	



Renewable Energy Office POU Reporting Spreadsheet (cont'd)

Schedule 5 – Provides information on key solar program information mandated by Senate Bill 1 – This form is completed annually and is due June 1st for previous year reporting.



CALIFORNIA ENERGY COMMISSION

Schedule 5 – SB 1 Solar Program Status Report

Schedule 5 - SB 1 Solar Program Status Report - To be completed annually.					
Utility Name:		Contact Person:			
Program Reporting Period: January 1, 2010 to December 31, 2010					
Program Activities					
Summary of Program Activities:					
Future Opportunities and Challenges:					
Program Performance					
Number of Applicants					
EPBI					
PBI					
Total Systems Installed	Installed Capacity (kW) *	Total Generation			
Residential - Market Rate					
Residential - Affordable/ Low Income					
Commercial					
Non-Profit					
Government					
Industrial					
Agricultural					
Mixed-Use					
Total (of all sectors)					
Total Expenditures	Incentives Paid	Incentives Reserved	SB 1 Funding (Life of Program)	Funds Remaining	kW/MW Goal (Life of Program)
Additional Information (as available)					
Known customer application issues/applications not approved:					
Non PV solar systems installed:					
Facility end use information:					
Incentive and funding disaggregation (e.g., by incentive type, by end use, etc):					
Any training or builder/installer assistance:					
Any auditing of installed systems:					
Solar program information on website at:					
*List the kW and kWh/yr for each sector, i.e., residential, commercial, non-profit, etc.					



Renewable Energy Office POU Reporting Spreadsheet (cont'd)

Attestation Form – This form is required for Schedules 1 and 3 only. This form needs to be completed, printed, signed, and mailed to the Energy Commission.



Attestation Form

California Energy Commission POU Reporting Spreadsheet ATTESTATION FORM

I, (print name and title) _____,
declare under penalty of perjury that the statements contained in the Applicable Schedules submitted to the California Energy Commission are
true and correct and that

I, as an authorized agent of (print name of company) _____,
have authority to submit this report on the company's behalf.

I further declare that the kilowatt-hours claimed as actual purchases in Schedules 1 and 3 are, to the best of my knowledge, claimed once and
only once by any party.

I understand that the Energy Commission reserves the right to request supplemental documentation to this filing for purposes of verification.

Signed: _____

Dated: _____

Executed at: _____

CONTACT INFORMATION

Name: _____

Title: _____

Company Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

Fax: _____

E-mail: _____



Renewable Energy Office Retail Seller Reporting Requirements

- Power Source Disclosure Program
 - Annual Report to the PSDP
 - Annual Power Content Label
 - Agreed Upon Procedures/Audit
- Renewables Portfolio Standard
 - Interim Tracking – CEC-RPS-Track form
 - WREGIS Compliance Report/WREGIS Attestation
 - CEC-Delivery form – for delivery data not in WREGIS



Retail Sellers' RPS Reporting using Interim Tracking and/or WREGIS and PSDP reporting

Reporting Year	RPS Procurement Reporting	PSDP Procurement Reporting
2007 and earlier	Interim Tracking (reporting completed)	PSDP Annual Report (reporting completed)
2008	WREGIS and/ or Interim Tracking System	PSDP Annual Report (reporting completed)
2009	WREGIS	PSDP Annual Report (2009 reporting completed)
2010 and subsequent years	WREGIS	PSDP Annual Report – updated format



Questions



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Stakeholder Comments on Draft
Regulations due COB November 19, 2010